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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/049,503	02/13/2002	Manfred Mielke	50574	7627
75	590 08/26/2003			•
Keil & Weinkauf			EXAMINER	
1350 Connecticut Ave., N.W. Washington, DC 20036			SANDERS, KRIELLION ANTIONETTE	

DATE MAILED: 08/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner		Application No.	Applicant(s)					
File	* *	10/049,503	MIELKE ET AL.					
- The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION Schemeson driem may be available under the providence of 3 CFR 1.5(8)a. In colevant, however, may a reply be timely field - If the period for reply appealished above at least than thirty (30) days, a reply whith the statution printerium of thirty (30) days, will be considered timely If No period for reply appealished above at least than thirty (30) days, a reply whith the statution printerium of thirty (30) days, will be considered timely If No period for reply appealished above at least than thirty (30) days, a reply whith the statution printerium of thirty (30) days will be considered timely If No period for reply appealished above at least than thirty (30) days will be considered timely If No period for reply appealished above at least than thirty (30) days will be considered timely If No period for reply appealished above at least than thirty (30) days will be considered timely If No period for reply appealished above at least than thirty (30) days will be considered timely If No period for reply appealished above the reply with by statution printing date of this communication Finals to reply within the section of the statution of the section of the	Office Action Summary	Examiner	Art Unit					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Statements of time may be available under the provisions of 3° CFR 1.138(a). In no event, however, may a reply to timely filled - Statements of time may be available under the provisions of 3° CFR 1.138(a). In no event, however, may a reply to timely filled - Statements of time may be available under the provisions of 3° CFR 1.138(a). In no event, however, may a reply to timely filled - State of the reply is specified above, the macrotum statutory period will apply and will expire SIX (8) MCMT16 from the mailing date of this communication. Provision of the above claim(s)		Kriellion A. Sanders	1714					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Semenos of time may be sealibilities under the provision of 37 CFR 1.33(a). In ceivent, however, may a reply be timely filed - If the period for reply specified above is less than thinky (30) days, a reply within the statulary minimum of thinky (30) days, will be considered from the period for reply by pecified above is less than thinky (30) days, a reply within the statulary minimum of thinky (30) days, a reply within the statulary minimum of thinky (30) days will be considered from the considered from the statulary minimum of thinky (30) days, a reply within the statulary minimum of thinky (30) days will be considered from the considered from the statulary minimum of the period for reply to peculiar days of the second from the consideration. - In the period for reply specified above, the macroin statulary minimum of the period for reply will, by statular, cause the speciation to become ABANDONED (38 U.S.C. § 13). Since this application is in condition for allowance except for formal matters, prosecution as to the menits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s)								
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2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-11 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1-11 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. § 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 1) Notice of Portsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)								
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Application/Control Number: 10/049,503

Art Unit: 1714

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

Claims 1-11 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Hermann et al, US Patent No. 6,332,943.

Hermann et al discloses all of the claimed components of applicant's presently claimed invention. This includes dispersed colorant, dispersant, polytetrahydrofuran, solvent, water and binder. The components are also employed in weight percentages which directly overlap those of applicant's claims. No patentable difference is readily ascertained. For specific disclosures of th species of dispersants employed, see col. 4, lines 4-38, col. 6, line 58 through col. 7, line 45, col. 8, lines 5 through 67 and col. 10, line 44.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2435.

Any inquiry concerning this communication should be directed to Kriellion Sanders at telephone number 703-308-2435.

Art Unit: 1714

Guellia Sane Oz Kriellion Sanders

Primary Examiner

Group 1700